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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/930,316	08/15/2001	Paul B. Savage	07913-006001

CONFIRMATION NO. 3761

## FORMALITIES LETTER



\*OC000000006506995\*

JOHN W. FREEMAN, ESQ.  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

#3

Date Mailed: 09/04/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible ( see 37 CFR 1.84(o));
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable

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form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

SECRET  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Paul B. Savage et al.      Art Unit : 1616  
 Serial No. : 09/930,316      Examiner :  
 Filed : August 15, 2001  
 Title : STEROID DERIVED ANTIBIOTICS

**BOX MISSING PARTS**  
 Commissioner for Patents  
 Washington, D.C. 20231

#4

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed September 4, 2001 (copy enclosed), applicant as a small entity submits herewith the following:

- ☒ Check in payment of \$65 surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application;
- ☒ Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63; and
- ☒ Seven sheets of Formal Drawings.

Applicants are aware that the application is considered non-compliant with the requirements under 37 C.F.R. §1.821-1.825 as recited in the Notice to File Missing Parts. However, applicants submit that the instant application does not contain nucleotide and/or amino acid sequence disclosures. Applicants invite the Examiner to specify the location of the sequence disclosures that are required to be included in a Sequence Listing.

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050 referencing attorney docket number 07913-006001.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

October 26, 2001

Date of Deposit

Signature

*Sherry L. Hunt*

Sherry L. Hunt

Typed or Printed Name of Person Signing Certificate

Applicant : Paul B. Savage et al.  
Serial No. : 09/930,316  
Filed : August 15, 2001  
Page : 2

Attorney's Docket No.: 07913-006001

Respectfully submitted,

Date: October 26, 2001



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